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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,975	04/21/2004	Dejian Ren	110313.136US2	9673
23483	7590	11/16/2006	EXAMINER	
WILMER CUTLER PICKERING HALE AND DORR LLP 60 STATE STREET BOSTON, MA 02109			SZPERKA, MICHAEL EDWARD	
			ART UNIT	PAPER NUMBER
			1644	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20061106

DATE MAILED:

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Commissioner for Patents

The reply filed on August 21, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's response to the office action mailed March 3, 2006 comprises claim amendments which cancel applicant's elected invention. Specifically, in response to the restriction requirement mailed September 7, 2005, applicant elected to prosecute the species of CatSper2 polypeptides comprising the epitope amino acids 316-340 of SEQ ID NO:2. The recitation of residues 316-340 has been removed from all claims in the response received 8/21/06 and therefore applicant has canceled the invention that applicant has elected for prosecution. Cancellation of the elected invention subsequent to an office action examining the elected invention is not permitted. Therefore applicant's reply received 8/21/06 is non-responsive.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Szperka whose telephone number is 571-272-2934. The examiner can normally be reached on M-F 8:00-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on 571-272-0841. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Szperka, Ph.D.
Patent Examiner
Technology Center 1600
November 6, 2006


G.R. EWOLDT, PH.D.
PRIMARY EXAMINER

11/11/06